

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

FILED

FEB 6 2007

TERESA L. DEPPNER, CLERK
U.S. District Court
Southern District of West Virginia

Travis Sumpers

1001 Centre Way

Charleston, WV

25309

(Enter above the full name of the plaintiff
or plaintiffs in this action).

(Inmate Reg. # of each Plaintiff)

VERSUS

John McKay

David Farmer

Lt. Rogers

Sgt. Atkins

John Doe Officer #1

John Doe Officer #2

1001 Centre Way

Charleston, WV 25309

CIVIL ACTION NO. 2:07-0082

(Number to be assigned by Court)

U.S. Marshall Service

For Southern District of WV

300 Virginia Street

Charleston, WV 25301

(Enter above the full name of the defendant
or defendants in this action)

COMPLAINT

I. Previous Lawsuits

A. Have you begun other lawsuits in state or federal court
dealing with the same facts involved in this action or
otherwise relating to your imprisonment?

Yes _____

No

B. If your answer to A is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline).

1. Parties to this previous lawsuit:

Plaintiffs: _____

Defendants: _____

2. Court (if federal court, name the district; if state court, name the county);

3. Docket Number: _____

4. Name of judge to whom case was assigned:

5. Disposition (for example: Was the case dismissed? Was itAppealed? Is it still pending?)

6. Approximate date of filing lawsuit: _____

7. Approximate date of disposition: _____

II. Place of Present Confinement: South Central Regional Jail

A. Is there a prisoner grievance procedure in this institution?

Yes ✓ No _____

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?

Yes ✓ No _____

C. If you answer is YES:

1. What steps did you take? I filed request forms.

2. What was the result? I talked to State police and counselor.

D. If your answer is NO, explain why not: _____

III. Parties

(In item A below, place your name and inmate registration number in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of Plaintiff: Travis Sumpfers

Address: 1001 Centre Way
Charleston, WV 25309

B. Additional Plaintiff(s) and Address(es): _____

(In item C below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use item D for the names, positions, and places of employment of any additional defendants.)

C. Defendant: John McKay

is employed as: Jail Administrator
at South Central Regional Jail

D. Additional defendants: David Farmer, Lt. Rogers,
Sgt. Atkins, John Doe Officer #1,
John Doe Officer #2, U.S
Marshall Service

IV. Statement of Claim

State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

On or about January 24 and 25,
2007, the Plaintiff informed the
Defendants that his life and safety
were in danger at SCRJ. The
Defendants neglected the Plaintiff's
requests for help and safety. As a
result, the Plaintiff was physically beaten,
assaulted, and attacked by two (2)

IV. Statement of Claim (continued):

white inmates at SCRJ. The attack was racially motivated. The Defendants knew of the Plaintiff's plight of being subjected to a racially motivated attack and allowed it to occur. One white inmate who attacked the Plaintiff was a misdemeanor and did not belong on a Felony pod. The other white inmate was a federal prisoner who did not belong in SCRJ. The U.S Marshall intentionally placed

v. a federal prisoner in SCRJ to harm the Plaintiff and other inmates. That the

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Defendants placed the Plaintiff on an all White pod to instigate a racial assault upon the Plaintiff. He was moved from C-6 to C-3 to allow it to occur. The Plaintiff's teeth were knocked out of his mouth. The Plaintiff sues for punitive and compensatory damages of \$6,000,000.00. He sue in individual and official capacity.

The Plaintiff suffered severe physical beating, attack, and assault as a result of Defendants' deliberate indifference.

V. Relief (continued):

The Plaintiff's 8th and 14th Amendment U.S Constitutional Rights were violated.

VII. Counsel

A. If someone other than a lawyer is assisting you in preparing this case, state the person's name:

No

B. Have you made any effort to contact a private lawyer to determine if he or she would represent you in this civil action?

Yes _____ No ✓

If so, state the name(s) and address(es) of each lawyer contacted:

If not, state your reasons: _____

C. Have you previously had a lawyer representing you in a civil action in this court?

Yes _____ No ✓

If so, state the lawyer's name and address:

Signed this 26 day of January, 2007.

Travis Sumpfer
Signature of Plaintiff or Plaintiffs

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 26 January 2007.
(Date)

Travis Sumpfer
Signature of Movant/Plaintiff

Signature of Attorney
(if any)